

REMARKS

The Official Action mailed July 10, 2003, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to November 10, 2003. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on April 5, 2001, July 10, 2002, and August 19, 2002.

Claims 2, 4, 21-24 and 26-42 are pending in the present, of which claims 2, 4, 30, 34, 37 and 40 are independent. The independent claims have been amended to better recite the features of the present invention and to correct minor typographical errors. Also, claims 31 and 35 have been amended to correct minor typographical errors. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action objects to the title as not descriptive and requires a title "that is clearly indicative of the invention to which the claims are directed, a semiconductor device" (page 2, Paper No. 16). In response, the title has been amended to a "SEMICONDUCTOR DEVICE." Reconsideration of the objection is requested.

The Official Action objects to claim 40. In response to this objection, claim 40 has been amended in conformance with the suggestion in the Official Action, i.e. to recite "the pair of first semiconductor films." Claims 31 and 35 have been amended in a similar fashion. Reconsideration of the objection is requested.

The Official Action rejects claims 2, 4, 21-24, 26-31, 33-35, 37-38, 40 and 41 as obvious based on the combination of U.S. Patent No. 6,222,600 to Hirano, U.S. Patent No. 5,528,082 to Ho et al., and U.S. Patent 6,100,954 to Kim et al. The Applicants respectfully submit that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present invention, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the

references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Hirano, Ho and Kim do not teach or suggest a storage capacitor including the features recited in independent claims 2, 4, 30, 34, 37 and 40, as amended. These features are supported in the specification by the "Embodiment Mode of the Present Invention" (pages 6-9) and Fig. 1. Further, a structure of Fig. 1 recited in the claims is formed by the steps as shown in Figs. 3A-3E. It is also noted that a TFT and a storage capacitor are formed simultaneously. Therefore, the TFT and the storage capacitor have the same structure. Hirano, Ho and Kim, either alone or in combination, do not teach the storage capacitor as recited in the independent claims.

Since Hirano, Ho and Kim do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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